

CONSTITUTION OF THE MOOT COURT COMMITTEE



**DR. RAM MANOHAR LOHIYA NATIONAL LAW  
UNIVERSITY, LUCKNOW**

**CONSTITUTION OF THE MOOT COURT COMMITTEE  
RULES AND REGULATIONS**

**TABLE OF CONTENTS**

Preamble..... 1

Extent..... 1

Definitions ..... 1

S. 1 Composition of the Committee..... 1

S. 2 Tenure of the Committee..... 1

S. 3 Number of Members ..... 1

S. 4 Eligibility Criteria for Members ..... 2

S. 5 Selection of Members ..... 2

S. 6 Faculty Coordinator, Faculty Advisors and Chairperson ..... 2

S. 7 Probation and Termination of Membership..... 3

S. 8 Grounds for Probation and Termination of Membership..... 3

S. 9 Resignation from Membership ..... 4

S. 10 Effect of Termination and Resignation of Membership ..... 4

S. 11 Primary Functions of the Committee..... 4

S. 12 Fiscal Functions of the Committee ..... 4

S. 13 Powers of the Committee ..... 4

S. 14 Restrictions on the Committee Members..... 5

S. 15 Duties of the Committee..... 5

S. 16 Rules for Intra-university Moot Court Competitions ..... 5

S. 17 Committee Meetings ..... 5

S. 18 Quorum of the Meeting ..... 5

S. 19 Procedure for Meeting..... 6

S. 20 Minutes of the Meeting ..... 6

S. 21 Procedure for Resolutions..... 6

S. 22 Procedure for Amendment of the Constitution ..... 6

CONSTITUTION OF THE MOOT COURT COMMITTEE

S. 23 Complaint against a Committee Member ..... 7

S. 24 Temporary Rules ..... 7

# CONSTITUTION OF THE MOOT COURT COMMITTEE

## **PREAMBLE**

This Constitution intends to regulate mooting and its allied activities in the University, in a just and fair manner while facilitating such activities in the best possible way.

## **EXTENT**

This Constitution shall extend to all students and staff of Dr. Ram Manohar National Law University, Lucknow. The provisions enshrined in this document shall be in addition to and not in derogation of the rules and regulations of the University for the time being in force, and updated/modified thereafter.

## **DEFINITIONS**

In this Constitution, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say-

1. **'Notification'** means a notice issued by the Moot Court Committee in addition to this Constitution pursuant to the power under section 13.4.
2. **'Office Bearer'** means members of the Committee from the 4<sup>th</sup> and 5<sup>th</sup> Year.
3. **'Member'** means a student member of the Committee including the Office Bearers.
4. **'Student'** means any student presently enrolled under the B.A LL.B. (Hons.) course of the University.
5. **'University'** means Dr. Ram Manohar Lohiya National Law University, Lucknow.

## **S. 1 COMPOSITION OF THE COMMITTEE**

The Committee shall consist of a Chairperson, Faculty Coordinator, Faculty Advisors and Members.

## **S. 2 TENURE OF THE COMMITTEE**

The tenure of the Committee shall be for one academic year, post which, it shall be freshly constituted.

## **S. 3 NUMBER OF MEMBERS**

**3.1** The Committee shall consist of the following:

## CONSTITUTION OF THE MOOT COURT COMMITTEE

3.1.1. Eight to ten members from the 1<sup>st</sup> year

3.1.2. Six to ten members each from the 2<sup>nd</sup> and 3<sup>rd</sup> year

3.1.3. One Treasurer, three to five Joint Secretaries from the 4<sup>th</sup> year

3.1.4. Two Joint Convenors from the 5<sup>th</sup> year.

**3.2** At no point should the total effective membership of the Committee fall below 15 members.

**3.3** Additional Members may be inducted at the discretion of the Joint Convenors of the Committee.

### **S. 4 ELIGIBILITY CRITERIA FOR MEMBERS**

**4.1** All students of B.A. LL.B. (Hons.) of the University are eligible to become members of the Committee.

**4.2** All students from the 4<sup>th</sup> year will be eligible for the post of Treasurer and Joint Secretary.

**4.3** All students from the 5<sup>th</sup> year will be eligible for the post of Joint Convenors.

### **S. 5 SELECTION OF MEMBERS**

**5.1** The Joint Convenors from the 5<sup>th</sup> year will be inducted by a panel constituted by the Chairperson.

**5.2** The Office Bearers from the 4<sup>th</sup> year will be inducted by a panel constituted by the Chairperson, which shall include the Joint Convenors.

**5.3** All members from the 1<sup>st</sup>, 2<sup>nd</sup> and 3<sup>rd</sup> year will be selected by a panel of at least three Office Bearers of the Committee, who shall accordingly frame the rules for such selections.

**5.4** The decision of the panel as provided for in this section shall be final and binding.

### **S. 6 FACULTY COORDINATOR, FACULTY ADVISORS AND CHAIRPERSON**

The University shall appoint a minimum of two faculty advisors, a faculty coordinator and a Chairperson to the Committee. They must be a part of the teaching staff of the University. Their tenure and powers shall be at the discretion of the Vice-Chancellor.

**S. 7 PROBATION AND TERMINATION OF MEMBERSHIP**

**7.1** Subject to the grounds mentioned in S. 8, a member shall be issued a show cause notice on each violation. The member shall be required to reply to the said notice in writing.

**7.2** In the event a member has been issued 3 show cause notices, they shall be put on probation for a period of one month from the date of the third show cause notice.

**7.3** Post the completion of one month of probation, the member must appear before the Office Bearers to plead their case. Only by passing of a resolution for termination by 2/3<sup>rd</sup> majority vote against the member, may the membership be terminated. In case, the requisite majority is not achieved for termination, the member shall be deemed to be reinstated.

**7.4** In the event a member has been issued the 4<sup>th</sup> show cause notice, be it during the probation period or post its completion, it shall result in instant termination.

**7.5** Termination without a probation period is possible under exceptional circumstances at the discretion of the Chairperson, upon the advice of the Office Bearers, after due hearing before the Chairperson in the presence of the Office Bearers.

**7.6** Termination of membership shall be resorted to only in exceptional circumstances. Generally, the membership should be reinstated unless there are compelling reasons to the contrary.

**S. 8 GROUNDS FOR PROBATION AND TERMINATION OF MEMBERSHIP**

**8.1** Membership may be put on probation and/or terminated if:

8.1.1. any member is found engaging in activities violating the provisions of this Constitution.

8.1.2. any member does not appear for two consecutive meetings without prior notice to the Office Bearers or valid reasons, in case of an emergency.

8.1.3. any member does not appear for three consecutive meetings with or without prior notice.

8.1.4. a member is found to be negligent towards his duties as envisaged under this Constitution.

**8.2** Probation and/or termination proceedings may be initiated on the basis of an official complaint by any student.

**S. 9 RESIGNATION FROM MEMBERSHIP**

A member may resign by sending a resignation letter to the Chairperson; *provided that* the acceptance of such resignation would be subject to approval by the Chairperson

**S. 10 EFFECT OF TERMINATION AND RESIGNATION OF MEMBERSHIP**

A terminated member will no longer be a part of the Committee and must stop exercising all official powers and functions thereof.

**S. 11 PRIMARY FUNCTIONS OF THE COMMITTEE**

**11.1** Organization of internal selections for moot court competitions:

11.1.1. The Committee shall organize all internal selection moot court competitions held within the University exclusively for students of the University. The Committee will prepare a separate set of rules and regulations applicable to the teams selected through these internal moot court competitions.

11.1.2. The Committee shall take initiatives for the development of moot court activities in the University.

**11.2** Organization of national and international moot court competitions: the Committee shall organize all moot court competitions inviting participation from other universities. Such competitions shall include those which are hosted by the University independently and those hosted in association with other agencies.

**11.3** Maintenance of annual report: the Joint Conveners shall submit an annual report to the Vice Chancellor stating the performance of the University in various moot court competitions and the performance of the Committee in general.

**S. 12 FISCAL FUNCTIONS OF THE COMMITTEE**

The Committee will prepare an annual budget of all financial expenses to be incurred during the academic year. The records of such expenses shall be maintained.

**S. 13 POWERS OF THE COMMITTEE**

**13.1** The Committee shall have the sole authority to regulate all moot court activities of

## CONSTITUTION OF THE MOOT COURT COMMITTEE

the University.

**13.2** It shall be the sole discretion of the Committee to select the moot court competitions in which the University may participate.

**13.3** The Committee shall have the power to impose a reasonable penalty on any team or individual participating in an internal or external moot court competition, in accordance with the regulations framed by the Committee

**13.4** The Committee shall have the power to issue notifications in order to regulate moot court activities in the University.

### **S. 14 RESTRICTIONS ON THE COMMITTEE MEMBERS**

**14.1** The member shall not be a part of any other permanent student Committee in the University; *provided* that honorary and advisory membership of such Committees will not fall under the purview of the above clause.

**14.2** No member participating in any internal selection moot court competition may be associated with the Committee in any capacity other than that of a participant.

### **S. 15 DUTIES OF THE COMMITTEE**

It shall be the duty of the Committee to ensure transparent, fair and non-arbitrary execution of all its functions enshrined under this Constitution.

### **S. 16 RULES FOR INTRA-UNIVERSITY MOOT COURT COMPETITIONS**

**16.1** The Committee shall organize intra-university moot court competitions throughout the year for allocation of national and international moot court competitions.

**16.2** The Committee shall have exclusive jurisdiction in framing rules for all the intra-university moot court competitions.

### **S. 17 COMMITTEE MEETINGS**

**17.1** The Committee shall ordinarily conduct a meeting for all members.

**17.2** Attendance to such meetings shall be compulsory for all members.

### **S. 18 QUORUM OF THE MEETING**

The quorum of such afore-mentioned meetings shall be no less than 2/3 of the total strength required to be present for that meeting.



**S. 19 PROCEDURE FOR MEETING**

**19.1** All meetings shall be convened with prior notice to all the members.

**19.2** It shall be the responsibility of the Office Bearers to ensure that every member has been notified about such meeting.

**S. 20 MINUTES OF THE MEETING**

The Secretaries must maintain the minutes of the meeting which are to be signed and verified by the Joint Conveners, and kept on record.

**S. 21 PROCEDURE FOR RESOLUTIONS**

**21.1** Resolutions must be passed by a simple majority of all members present and voting.

**21.2** Each member shall have one vote which once cast shall be considered final.

**21.3** Voting shall take place by show of hands, or, if required, by secret ballot.

**21.4** Abstention from voting will require the prior permission of the Joint Conveners and valid reasons for such abstention must be given.

**21.5** The Joint Conveners shall act as the speaker and moderator at such meetings and shall also count the votes and declare a resolution to have passed or failed. In their absence, the Office Bearers from the 4<sup>th</sup> year shall take charge.

**21.6** In all resolutions, the Joint Conveners shall only have a casting vote. If there is no consensus between the two Joint Conveners, then the Chairperson shall have the casting vote.

**21.7** Once the votes have been cast, the speaker shall immediately count them at the same meeting and he/she/they shall declare the resolution to have passed or failed.

**S. 22 PROCEDURE FOR AMENDMENT OF THE CONSTITUTION**

**22.1** Any meeting in which a proposed amendment is to be discussed or voted should be notified at least 2 days in advance.

**22.2** It shall be the duty of every member to ensure his/her/their presence in such meetings.

**22.3** All such amendments have to be passed by a 2/3<sup>rd</sup> majority of the members of the

Committee.

**22.4** Every member shall have to cast his vote.

**22.5** In case a member is not in the University, he/she/they shall be allowed to cast his/her/their vote by sending a proper, written communication to the Committee and such communication shall be confirmed by him/her/them over telephone.

### **S. 23 COMPLAINT AGAINST A COMMITTEE MEMBER**

**23.1** In case a non-member wishes to make a complaint against a committee member for not having discharged his/her/their duties in accordance with the provisions of the Constitution, he/she/they may put forth a written complaint or may communicate the same via email to Office Bearer(s) of the Committee.

**23.2** Once such complaint has been made, the Office Bearer to whom it has been made shall bring it to the notice of all the Office Bearers, who shall decide a suitable course of action for the same.

**23.3** In case a Committee member wishes to bring a complaint against a fellow member of the Committee for not having complied with the provisions of this Constitution, he/she/they may make a written complaint to the Office Bearer(s), who shall decide a suitable course of action for the same.

**23.4** In case a Committee member wishes to bring a complaint against an Office Bearer for not having complied with the provisions of this Constitution, he/she/they may make a written complaint to the faculty advisor or Chairman of the Committee, who shall decide a suitable course of action for the same.

### **S. 24 TEMPORARY RULES**

The Committee shall have the authority to frame temporary rules and guidelines to deal with a special circumstance not provided for in this Constitution.